

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-cv-567

TIDEWATER TRANSIT CO., INC., a North Carolina corporation,)	
)	
)	
Plaintiff,)	
)	
vs.)	
)	
SEA LANE EXPRESS, INC., a New York corporation,)	
)	
)	
Defendant.)	
)	

ORDER ON AMENDED CASE MANAGEMENT ORDER

The parties have been actively engaged in settlement negotiations and ongoing discovery, including attempts to schedule fact witness depositions in multiple states. Upon reviewing the parties' joint motion for an extension of the Case Management Order's deadlines, the Court is of the opinion that good cause exists for allowing such a request.

It is therefore ORDERED that the following discovery, motion and trial deadlines amend only the corresponding dates reflected in the Case Management Order:

- | | |
|---|--------------------|
| - Close of Fact Discovery | August 27, 2012 |
| - Plaintiff's Fed. R. Civ. P. 26(a)(2) Disclosures | September 28, 2012 |
| - Defendant's Fed. R. Civ. P. 26(a)(2) Rebuttal Report | October 12, 2012 |
| - Defendant's objections to Plaintiff's Fed. R. Civ. P. 26(a)(2) Disclosures, other than objections pursuant to Fed. R. Evid. 702, 703, 705, <i>Daubert v. Merrell Dow Pharmaceuticals, Inc.</i> 509 U.S. 579 (1993), <i>Kumho Tire Co. v. Carmichael</i> , 526 U.S. 137 (1999) or similar case law | October 12, 2012 |

- Defendant's Fed. R. Civ. P. 26(a)(2) Disclosures October 26, 2012
- Plaintiff's Fed. R. Civ. P. 26(a)(2) Rebuttal Report November 9, 2012
- Plaintiff's objections to Defendant's Fed. R. Civ. P. 26(a)(2) Disclosures, other than objections pursuant to Fed. R. Evid. 702, 703, 705, *Daubert v. Merrell Dow Pharmaceuticals, Inc.* 509 U.S. 579 (1993), *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999) or similar case law November 9, 2012
- Fed. R. Civ. P. 26(e) Supplementations November 16, 2012
- Close of All Discovery December 28, 2012
- Dispositive Motions January 25, 2013
- Motions to exclude testimony of expert witnesses pursuant to Fed. R. Evid. 702, 703, 705, *Daubert v. Merrell Dow Pharmaceuticals, Inc.* 509 U.S. 579 (1993), *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999) or similar case law January 25, 2013
- Proposed Jury Instructions June 7, 2013
- Voir Dire Questions Counsel Desires to ask Jury June 7, 2013
- Joint Statement of the Case June 7, 2013
- Trial Term July 22, 2013

This the 1st day of June, 2012.



LOUISE W. FLANAGAN
United States District Judge